

### **REMARKS**

Responsive to the Office Action mailed July 8, 2009, Applicants provide the following. Claims 1, 17, 23 and 29 have been amended without adding new matter. Claims 1-29 are all the claims pending in the application, claims 18-22 and 24-28 having been withdrawn from consideration responsive to an election of species requirement. Reconsideration of claims 1-17, 23 and 29 in view of the amendments above and remarks below is respectfully requested.

By way of this amendment, Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

### **Claim Rejections - 35 U.S.C. § 101**

Claims 1-16 and 23 stand rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter. Applicants have amended claims 1 and 23 to recite a method implemented by a processor-based machine. Therefore, claims 1-16 and 23 recite patentable subject matter, and the rejection of these claims should be withdrawn.

### **Claim Rejections - 35 U.S.C. § 103**

Claims 1, 9, 10, 15-17 and 29 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Publication No. 2004/0203901 to Wilson et al. in view of U.S. Patent No. 7,181,40 to Jones et al. Applicants respectfully traverse this rejection.

To establish a prima facie case of obviousness ... the prior art reference (or references when combined) must teach or suggest all the claim limitations. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicants respectfully submit that the above combination fails to describe or suggest at least each limitation as recited in claim 1. More specifically, amended claim 1 recites in part:

- detecting a plurality of participants;
- detecting a location of each of the plurality of participants;
- detecting a plurality of amenities preferences from the plurality of participants;
- identifying a plurality of possible meeting locations based on at least the amenities preferences; and
- selecting a meeting location from the plurality of possible meeting locations based on at least the location of each of the plurality of participants; wherein the meeting location is displayed on a screen.

The above cited combination fails to describe or suggest at least “selecting a meeting location from the plurality of possible meeting locations based on at least the location of each of the plurality of participants.”

The Examiner asserts that Wilson describes selecting a meeting location from the plurality of possible meeting locations based on at least the location of each of the plurality of participants as recited in amended claim 1, citing paragraphs 0039 and 0098. However, both these portions and the entire Wilson reference only describe providing the user with a list of POI’s “wherein the user chooses a particular POI from the list and provides this to the portal 108”, which in turn provides details on the selected POI (see Wilson , para. 0093). As such, Wilson does not describe selecting a meeting location from a plurality of possible meeting locations, and instead only describes providing suggestions for a plurality of POIs wherein the user makes the ultimate choice of the meeting location.

Further, Jones also does not describe or suggest selecting a meeting location from the plurality of possible meeting locations based on at least the location of each of the plurality of participants. Instead, Jones describes a system for recommending restaurants and activities around the destination. That is, the screen depicts “various restaurants and various features of the restaurants,” wherein the user is able to select any of these various restaurants (Jones, col. 7, lines 35-45). As such, neither Wilson nor Jones describe selecting a meeting location from the plurality of possible meeting

locations based on at least the location of each of the plurality of participants as recited in at least claim 1. Accordingly, the proposed combination fails to render claim 1 obvious, and Applicants respectfully request that the rejection of claim 1 be withdrawn.

Independent claims 17 and 29 have been amended to recite similar language. Support for these amendments can be found at least in FIG. 6 and the accompanying description of Applicants' application. As discussed above, the above combination fails to describe or suggest each limitation as recited in claim 17 and 29, and as such these claims are also not rendered obvious by the proposed combination. Thus, Applicants respectfully request that these rejections be withdrawn.

Claims 9, 10, 15 and 16 depend from independent claim 1 and are not rendered obvious at least due to their dependence upon an allowable claim. As such, Applicants respectfully request that the rejection to these claims be withdrawn.

Claims 2-5, 7, 8 and 23 stand rejected under 35 U.S.C. 103(a) as being obvious over Wilson and Jones and in further view of U.S. Patent No. 7,139,722 to Perrella et al.

Claims 2, 5, 7 and 8 depend from independent claim 1 and are not rendered obvious at least due to their dependence upon an allowable claim. As such, Applicants respectfully request that the rejection to these claims be withdrawn.

Independent claim 23 has been amended to recite language similar to that of claims 1, 17 and 29. As discussed above, neither Wilson nor Jones describe each limitation as recited in claim 23. Furthermore Perrella also fails to describe or suggest the limitations not disclosed by Wilson and Jones.

Furthermore, Claim 23 further recites "confirming the mode of transportation based on the speed of movement." Applicants respectfully submit that the proposed combination fails to describe this limitation. The Examiner contends that Jones describes confirming the mode of transportation based on the speed of movement (Office

Action, pg. 9). Neither the portion cited by the Examiner nor any other portion of Jones describes confirming the mode or transportation based on the speed of movement. Instead, the cited portion describes “a reservation confirmation system (RCS) 128 that verifies the travel selections and confirms any reservations” (Jones, col. 4, lines 3-5). There is no suggestion in Jones that the reservation confirmation system confirms a mode of transportation based on the speed of movement as recited in claim 23.

Furthermore, Claim 23 has been amended to recite “selecting a meeting location from the plurality of possible meeting locations based on the location and the mode of transportation of each of the plurality of participants.” Support for this amendment can be found in Applicants’ Fig. 6 and the accompanied specification and further in claim 6. In rejecting claim 6, the Examiner submits that neither Wilson, Jones nor Perrella describe this limitation and instead relies on Hall as describing this limitation. Applicants respectfully agree with Examiner’s contention that Wilson, Jones nor Perrella fail to describe this limitation, however, Applicants further submit that Hall also fails to describe or suggest this limitation.

Instead, Hall describes generating a schedule based on different constraints, which the Office Action alleges includes modes of transportation. However, even assuming that Hall does describe taking into account the mode of transportation, it does not describe selecting a meeting location based on the mode of transportation of the user. In fact, as described above with respect to claims 1, 17 and 19 neither of the proposed references describe selecting a meeting location and further selecting a meeting location based on the mode of transportation of the user as recited in claim 23. As such, the proposed combination fails to render at least claim 23 obvious, and Applicants respectfully request that the rejection to claim 23 be withdrawn.

Claim 6 stand rejected under 35 U.S.C. 103(a) as being obvious over Wilson and Jones and Perrella and in further view U.S. Patent No. 6,937,853 to Hall.

Claim 6 depends upon independent claim 1 and as such is allowable at

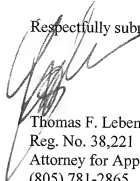
least due to its dependence upon an allowable claim. Furthermore, as described above with respect to claim 1 and 23 the proposed combination fails to render claim 6 obvious, and as such, Applicants respectfully request that the rejection to claim 6 be withdrawn.

**CONCLUSION**

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

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Respectfully submitted,



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